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September 27, 2021

BY ECF FILING

Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Luis Gamez, et al. 21 Cr.148 (PAE)

Dear Judge Englemayer:

On September 16, 2021, the Court set a Pretrial Conference and Motions Schedule for October 7, 2021. On September 24, 2021, defense counsel requested that Mr. Gamez and myself be excused from Pretrial Conference. On September 27, 2021, the Court denied the request ordering that all counsel be present for the purpose of maintaining an orderly schedule in this multi-defendant case.

Defense Counsel respectfully requests that I, along with my client, Mr. Gamez, be permitted to appear remotely for the October 7th conference. Mr. Gamez intends to plead guilty. I do not anticipate filing any pretrial motions in the case. Both Mr. Gamez and myself reside in the Los Angeles, California area. Given the above information, defense counsel requests to appear remotely along with Mr. Gamez. I have contacted Government counsel who has no objection to the above request.

Respectfully,

MATTHEW J. LOMBARD
Attorney for Luis Gamez

CC: Andrew Rohrbach, Assistant U.S. Attorney (by ECF)
Defense Counsel (By ECF)

GRANTED. The Court will permit Mr. Gamez and his counsel to appear remotely at the October 7 conference, for the reasons stated. To access the conference, Mr. Gamez and Mr. Lombard should use the following dial in information: Dial In: 888-363-4749 and use Access Code: 468-4906. The Court requests that a completed version of the attached form be submitted to the Court no less than 24 hours prior to the conference. The Clerk of Court is requested to terminate the motion at Dkt. No. 59.

9/28/2021

SO ORDERED.

A handwritten signature in blue ink that reads "Paul A. Engelmayer". The signature is written in a cursive, flowing style.

PAUL A. ENGELMAYER
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-v-

,
Defendant.
-----X

**WAIVER OF RIGHT TO BE
PRESENT AT CRIMINAL
PROCEEDING**

-CR- (PAE)

I am aware that I have been charged with violations of federal law. I have consulted with my attorney about those charges. I understand I may have a right to appear before a judge in a courtroom in the Southern District of New York to obtain new counsel and to have my current attorney beside me as I do. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I have discussed these issues with my attorney. By signing this document, I wish to advise the court that I willingly give up my right to appear in person before the judge in connection with the conference to address my request for new counsel. By signing this document, I also wish to advise the court that I willingly give up any right I might have to have my attorney next to me for the conference so long as the following conditions are met. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf during the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date: _____

Signature of Defendant

I hereby affirm that I am aware of my obligation to discuss with my client the charges against my client, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver and consent form. I affirm that my client knowingly and voluntarily consents to the proceedings being held with my client and me both participating remotely.

Date: _____

Signature of Defense Counsel

Accepted: _____

Signature of Judge

Date: